

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

Herbert B. Raymond, Esq., Attorneys at Law
7 Glenwood Avenue, 4TH Floor
East Orange, New Jersey 07017
(973) 675-5622; (408) 519-6711 Telefax
Email: bankruptcy123@comcast.net
Herbert B. Raymond, Esq.; Jeffrey M.
Raymond, Esq., Kevin DeLyon, Esq.
Attorneys for the Debtor(s)

In Re:

LIWAA J. DARWISH, DEBTOR

Case No.: 17-23053 JKS

Chapter: 13 _____

Adv. No.:

Hearing Date: 6/28/18 @ 11:00 A.M.

Judge: JOHN K. SHERWOOD

CERTIFICATION OF SERVICE

1. I, KENNETH RAYMOND :

represent _____ in the this matter.

am the secretary/paralegal for HERBERT B. RAYMOND, ESQ._, who represents the
DEBTOR_ in the this matter.

am the _____ in the this case and am representing myself.

2. On JUNE 26, 2018, I sent a copy of the following pleadings and/or documents to the parties listed
in the chart below.

Order Approving Loan Modification

3. I certify under penalty of perjury that the above documents were sent using the mode of service
indicated.

Date: JUNE 26, 2018

/S/ KENNETH RAYMOND_
Signature

| Name and Address of Party Served | Relationship of Party to the Case | Mode of Service |
|---|--|--|
| Marie-Ann Greenberg, Esq. Chapter 13 Standing Trustee 30 Two Bridges Rd. Fairfield, N.J. 07004 | CHAPTER 13 TRUSTEE | <input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *) |
| Bsi Financial Services 7500 Old Georgetown Rd., Ste. 1350 Bethesda, MD 20814 Attn: Officer, Managing or General Agent or Any Other Agent Authorized By Appointment or By Law to Receive Service of Process Attn: Gagan Sharma, President and Ceo | CREDITOR | <input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *) |
| McCabe, Weisberg & Conway, PC 216 Haddon Ave., Ste. 201 Westmont, NJ 08108 | ATTORNEYS FOR BSI FINANCIAL SERVICES | <input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *) |
| BSI Financial Services 1425 Greenway Drive Suite 400 Irving, TX 75038 Attn: Officer, Managing or General Agent or Any Other Agent Authorized By Appointment or By Law to Receive Service of Process Attn: Gagan Sharma, President and Ceo | CREDITOR | <input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *) |



Order Filed on June 19, 2018 by
Clerk U.S. Bankruptcy Court
District of New Jersey

1 UNITED STATES BANKRUPTCY COURT
2 DISTRICT OF NEW JERSEY

3 HERBERT B. RAYMOND, ESQ.
4 ATTORNEYS AT LAW
5 7 GLENWOOD AVENUE, 4TH FLOOR
6 EAST ORANGE, NEW JERSEY 07017
7 TELEPHONE (973) 675-5622
8 TELEFAX (408) 519-6711
9 VOICEMAIL (815) 642-4613
10 Email: bankruptcy123@comcast.net
11 HERBERT B. RAYMOND, ESQ.
12 JEFFREY M. RAYMOND, ESQ.
13 KEVIN DELYON, ESQ.
14 ATTORNEYS FOR THE DEBTOR(S)

15 In Re:

16 LIWAA J. DARWISH, DEBTOR(S)

Case No.: 17-23053 (JKS)

Adv. No.:

Hearing Date: N/A

Judge: JOHN K. SHERWOOD

17 ORDER AUTHORIZING LOAN
18 MODIFICATION AND FOR OTHER RELIEF

19 The relief set forth on the following pages, two (2) through four (4) is hereby
20 ORDERED:

21
22 DATED: June 19, 2018

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24 Honorable John K. Sherwood
25 United States Bankruptcy Court
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1 Page 2

2 Debtor: Liwaa J. Darwish, Debtor(s)

3 Case no.: 17-23053 JKS

4 Caption of order: Order Authorizing Loan Modification and for
5 Other Relief

6

7 1. That the Debtor be and is hereby authorized to enter
8 into and consummate a loan modification with Bayview Loan
9 Servicing, LLC, pursuant to the terms and conditions of the
10 proposed loan modification agreement, entitled 'Loan
11 Modification Agreement', filed as an Exhibit in support of this
12 motion, relating to real property located at 159 Hamilton Trail,
13 Totowa, New Jersey, and the loan modification be and is hereby
14 approved.

15 2. That the Debtor and/or Bayview Loan Servicing, LLC, be
16 and are authorized to enter and consummate any transaction
17 necessary and incident to the loan modification relating to this
18 property, the sole exception being the transfer of the property
19 or an interest in the property by the Debtor(s) to someone else.

20 a. Limited automatic stay relief is granted, to allow
21 Bayview Loan Servicing, LLC, to negotiate any such agreement
22 with the Debtor or counsel, enter into and sign a loan
23 modification agreement, and record any documents with the
24 appropriate county recorders office without such action being
25 considered a violation of the automatic stay.

26 3. That the Debtor and/or Bayview Servicing, LLC, are
27 authorized to negotiate and prepare the terms or documents

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1 Page 3

2 Debtor: Liwaa Darwish, Debtor(s)

3 Case no.: 17-23053 JKS

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5 Other Relief

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7 relating to a loan modification, or any necessary transaction
8 incident to a loan modification agreement, such as, but not
9 limited to the circumstances described above, with respect to
10 this property and any such negotiation and/or preparation of
11 documents and/or recording of documents, by the parties shall
12 not be considered to be a violation of the automatic stay and are
13 specifically authorized by the Court.

14 4. That any communication by the parties relating to the
15 loan modification shall be considered to be negotiations,
16 pursuant to the Rules of Evidence, and shall not be used by
17 either party against the other in the context of any subsequent
18 litigation in this Court or any state court, federal court or
19 non-judicial forum.

20 5. That nothing in this order shall be construed as a
21 modification of the plan.

22 6. That the mortgage company and/or mortgage servicer may
23 not persuade the Debtor(s) to dismiss this case in order to
24 consummate a loan modification.

25 7. That because the mortgage is being modified and the pre-
26 petition arrears are being addressed in the new mortgage, the
27 pre-petition arrearage claim, filed by Bayview Loan Servicing,
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1 Page 4

2 Debtor: Liwaa Darwish, Debtor(s)

3 Case no.: 17-23053 JKS

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5 Other Relief

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7 LLC, or its predecessors, assignees or successor in interest, as
8 claim number fifteen on the claims register, shall not be paid
9 and the Trustee shall not make any payments/disbursements on any
10 pre-petition arrearage claim. If the modification is not
11 consummated for any reason, Bayview Loan Servicing, LLC, may, at
12 any time during the pendency of this case, re-list the matter
13 for further hearing, otherwise, this order shall be deemed
14 final.

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